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DATE: January 19, 2004

TO: Devesh KHARE, Esq.

FAX NO.: 703-308-4556

FROM: HUESCHEN & SAGE

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UNDER 37 CFR 1.8(a)

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Fax No. 703-308-4556 on

January 19, 2004
HUESCHEN AND SAGE
Michelle M. Sage
Dated: January 19, 2004

PF 103 PCT

Applicant : Daniel REDOULES, Roger TARROUX, Didier FOURNIER, and
Jean-Jacques PERIE

Serial No. : 09/937,673

Filed : September 28, 2001

Title : Bioprecursors of a Retinoic Derivative and Pharmaceutical
and/or Cosmetic Compositions

Art Unit : 1623

Examiner : Devesh KHARE, Esq.

* * * * *

Honorable Commissioner for Patents
Alexandria, VA 22313

SUPPLEMENTAL RESPONSE AFTER FINAL UNDER 37 CFR § 1.111 AND
PRESENTATION OF A DECLARATION UNDER 37 CFR § 1.132

Sir:

Responsive to the Office Action, a Final Rejection, dated October 21, 2003, to supplement the Response After Final of December 22, 2003, the applicants comment as follows:

R E M A R K S

With this Supplemental Response, the applicants provide a Declaration by Dr. Daniel REDOULES, a scientist skilled in this particular art, which speaks to the obviousness rejection and the criticality of the spacer group between the retinoic acid derivative and the glucosyl group. Specifically, the Declarant provides data which demonstrate the ability of β -glucocerebrosidase to hydrolyze various gluco-conjugates as well as data which show the transcutaneous diffusion and metabolism in skin of arbutin retinoate, a substance of the instant invention. These data further demonstrate the critical and distinguishing physiological function of the spacer group between the retinoic acid derivative and the glucosyl group. It is submitted that this further elaboration on the critical distinction between the prior art and the instant invention will materially advance the examination of the instant application.

* * * * *

Accordingly, entry of the REDOULES Declaration, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned attorney has made an earnest effort to place this application into condition for immediate allowance. If he can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call him at his below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By: 

G. PATRICK SAGE

Dated: January 19, 2004
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Enclosure: REDOULES Declaration, six (6) pages.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08.3220.